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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GALLINA FAMILY BANK IRREVOCABLE TRUST, a Nevada Trust; JOHN GALLINA, an individual; and RICHARD F. GALLINA, as trustee of the GALLINA FAMILY BANK IRREVOCABLE TRUST,

Plaintiffs,

vs.

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, a foreign Company; NORMAN KASTNER, an Individual; THE LEADERS GROUP, INC., a foreign company; WS GRIFFITH SECURITIES, INC., a foreign company; CAPITAS FINANCIAL, INC., d/b/a THE BLAIR AGENCY, a foreign company; ROE CORPORATIONS 3-10, inclusive; and DOES 1 – 10, inclusive,

Defendants..

Case No.: 2:21-cv-00090-JCM-DJA

**DEFENDANT NORMAN
KASTNER'S UNOPPOSED
MOTION TO EXTEND
DEADLINE TO FILE
RESPONSIVE PLEADING**

(SECOND REQUEST)

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and LR IA 6-1, Defendant Norman Kastner ("Kastner") respectfully requests the Court to extend the deadline in which he has to answer or otherwise plead to Plaintiffs' Second Amended Complaint by one week, until February 11, 2021. In support of its Motion, Kastner states as follows:

1 1. Plaintiffs' Second Amended Complaint was filed on November 24, 2020 in
2 Clark County District Court [ECF No. 1-6].

3 2. Kastner was served on December 16, 2020 via process server.

4 3. Kastner filed a Notice of Removal [ECF No. 1] on January 15, 2020, thereby
5 setting a January 22, 2021 deadline for Kastner to file a responsive pleading to Plaintiffs'
6 Second Amended Complaint.

7 4. Thereafter, counsel for Kastner conferred with counsel for Plaintiffs
8 regarding an extension of time to respond to Plaintiffs' Second Amended Complaint up to
9 and including February 4, 2021. Plaintiffs' counsel agreed to the requested extension of
10 time.

11 5. On January 22, 2021, this Court granted Kastner's Unopposed Motion to
12 Extend Deadline to File a Responsive Pleading [ECF No. 5], setting a February 4, 2021
13 deadline for Kastner to file a response to Plaintiffs' Second Amended Complaint.

14 6. Thereafter, Kastner and his counsel continued to work diligently to gather
15 information and documents to prepare a response, but given the extensive amount of time
16 that has transpired since the events giving rise to Plaintiffs' Second Amended Complaint,
17 among other factors, additional time is necessary to prepare a response.

18 7. On February 3, 2021, Counsel for Kastner conferred with Plaintiffs' counsel
19 regarding a second extension of time limited to seven additional days for Kastner to file a
20 responsive pleading. Plaintiffs do not oppose Kastner's request to extend his responsive
21 pleading deadline to February 11, 2021.

22 8. Kastner now respectfully requests that the Court extend his deadline to
23 respond to the Second Amended Complaint by seven (7) days through and including
24 February 11, 2021.

25 9. Kastner is requesting this extension of time to allow his counsel additional
26 time to collect and review documents and information relevant to the purchase and sale of
27 the insurance policy at issue in this case, which occurred nearly twenty years ago on March
28 21, 2001 [ECF No. 1-6 at ¶ 6], and to assess whether Nevada courts have personal

jurisdiction over Kastner.

10. This is Kastner's second request for an extension; this request is brought in good faith and not made to unnecessarily delay discovery or the proceedings in this matter.

11. No party will be prejudiced by the requested extension nor, respectfully, will the extension unduly burden the Court.

Defendant Kastner respectfully requests that the Court grant his Unopposed Motion to Extend Deadline to File Responsive Pleading, extending its deadline to answer or otherwise plead to Plaintiff's Second Amended Complaint through and until **February 11, 2021**.

DATED this 3rd day of February, 2021.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

BY: s/ Todd D. Erb

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Attorneys for Defendant Norman Kastner

IT IS SO ORDERED.


United States Magistrate Judge

Dated: February 4, 2021

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system:

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